

# Daily Digest

## HIGHLIGHTS

Senate passed S. 2038, Stop Trading on Congressional Knowledge (STOCK) Act, as amended.

## Senate

### Chamber Action

*Routine Proceedings, pages S283–S328*

**Measures Introduced:** Eight bills and one resolution were introduced, as follows: S. 2062–2069, and S. Res. 367. **Page S323**

#### Measures Passed:

***Stop Trading on Congressional Knowledge (STOCK) Act:*** By 96 yeas to 3 nays (Vote No. 14), Senate passed S. 2038, to prohibit Members of Congress and employees of Congress from using non-public information derived from their official positions for personal benefit, after taking action on the following amendments proposed thereto:

**Pages S290–S315**

#### Adopted:

Reid (for Lieberman) Amendment No. 1482 (to Amendment No. 1470), to make a technical amendment to a reporting requirement. **Pages S290, S299**

By 81 yeas to 18 nays (Vote No. 6), Gillibrand (for Lieberman) Amendment No. 1511 (to Amendment No. 1470), to extend the STOCK Act to ensure that the reporting requirements set forth in the STOCK Act apply to the executive branch and independent agencies. **Pages S298–99, S300–01**

By 58 yeas to 41 nays (Vote No. 7), Shelby Modified Amendment No. 1491 (to Amendment No. 1470), to extend the STOCK Act to ensure that the reporting requirements set forth in the STOCK Act apply to the executive branch and independent agencies. **Pages S291, S297, S301**

Boxer/Isakson Modified Amendment No. 1489 (to Amendment No. 1470), to require full and complete public disclosure of the terms of home mortgages held by Members of Congress, the President, the Vice President, and executive branch officers nominated or appointed to a position by the President, by and with the advice and consent of the Senate. (A unanimous-consent agreement was reached providing

that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S291, S297–98, S302**

Gillibrand (for Portman) Amendment No. 1505 (to Amendment No. 1470), to clarify that political intelligence includes information gathered from executive branch employees, Congressional employees, and Members of Congress. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S297–99, S302**

Collins (for Enzi) Amendment No. 1510 (to Amendment No. 1470), to clarify that the transaction reporting requirement is not intended to apply to widely held investment funds. **Page S302**

Blumenthal/Kirk Amendment No. 1498 (to Amendment No. 1470), to amend title 5, United States Code, to deny retirement benefits accrued by an individual as a Member of Congress if such individual is convicted of certain offenses. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S291, S302**

McCain Amendment No. 1471 (to Amendment No. 1470), to protect the American taxpayer by prohibiting bonuses for Senior Executives at Fannie Mae and Freddie Mac while they are in conservatorship. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S290, S304**

Leahy/Cornyn Amendment No. 1483 (to Amendment No. 1470), to deter public corruption. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S290, S304–07**

By 60 yeas to 39 nays (Vote No. 12), Grassley Amendment No. 1493 (to Amendment No. 1470), to require disclosure of political intelligence activities under Lobbying Disclosure Act of 1995. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmative votes, be agreed to.) **Pages S295–97, S308–09**

Reid Amendment No. 1470, in the nature of a substitute. **Page S290**

Rejected:

By 37 yeas to 61 nays (Vote No. 4), Paul Amendment No. 1484 (to Amendment No. 1470), to require Members of Congress to certify that they are not trading using material, non-public information.

**Pages S290, S299–S300**

By 48 yeas to 51 nays (Vote No. 5), Paul Amendment No. 1487 (to Amendment No. 1470), to prohibit executive branch appointees or staff holding positions that give them oversight, rule-making, loan or grant-making abilities over industries or companies in which they or their spouse have a significant financial interest. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S290, S300**

By 40 yeas to 59 nays (Vote No. 8), Toomey Amendment No. 1472 (to Amendment No. 1470), to prohibit earmarks. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

**Pages S290, S291–92, S302–04**

By 26 yeas to 73 nays (Vote No. 9), Inhofe/Hutchison Amendment No. 1500 (to Amendment No. 1470), to prohibit unauthorized earmarks. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

**Pages S291, S292–95, S304**

By 60 yeas to 39 nays (Vote No. 10), two-thirds of the Senators voting not having voted in the affirmative, Coburn Amendment No. 1473 (to Amendment No. 1470), to prevent the creation of duplicative and overlapping Federal programs, was not agreed to.

**Pages S290, S307–08**

By 24 yeas to 75 nays (Vote No. 11), DeMint Amendment No. 1488 (to Amendment No. 1470), to express the sense of the Senate that the Senate should pass a joint resolution proposing an amendment to the Constitution that limits the numbers of terms a Member of Congress may serve. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

**Pages S291, S308**

By 26 yeas to 73 nays (Vote No. 13), Brown (OH)/Merkley Modified Amendment No. 1481 (to Amendment No. 1470), to prohibit financial conflicts of interest by Senators and staff. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

**Pages S290, S295, S309**

Withdrawn:

Brown (OH) Amendment No. 1478 (to Amendment No. 1470), to change the reporting requirement to 10 days. **Pages S290, S299**

Thune Amendment No. 1477 (to Amendment No. 1470), to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D. **Pages S290, S299**

Coburn/McCain Amendment No. 1474 (to Amendment No. 1470), to require that all legislation be placed online for 72 hours before it is voted on by the Senate or the House. **Pages S290, S299**

Coburn Amendment No. 1476, in the nature of a substitute. **Pages S290, S299**

Paul Amendment No. 1490 (to Amendment No. 1470), to require former Members of Congress to forfeit Federal retirement benefits if they work as a lobbyist or engage in lobbying activities.

**Pages S291, S299**

Tester/Toomey Amendment No. 1492 (to Amendment No. 1470), to amend the Securities Act of 1933 to require the Securities and Exchange Commission to exempt a certain class of securities from such Act. **Pages S291, S299**

Tester/Cochran Amendment No. 1503 (to Amendment No. 1470), to require Senate candidates to file designations, statements, and reports in electronic form. **Pages S291, S299**

Paul Modified Amendment No. 1485 (to Amendment No. 1470), to extend the transaction reporting requirement to judicial officers and senior executive branch employees. **Pages S290, S297–98, S301**

**National Mentoring Month:** Senate agreed to S. Res. 367, designating January 2012 as “National Mentoring Month”. **Page S327**

**Reporting Authorization—Agreement:** A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the Committee on Environment and Public Works be authorized to report legislation on Friday, February 3, 2012 from 12 p.m. to 2 p.m. **Page S327**

**FAA Reauthorization and Reform Act Conference Report—Agreement:** A unanimous-consent-time agreement was reached providing that at 3 p.m., on Monday, February 6, 2012, Senate begin consideration of the conference report to accompany H.R. 658, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to

provide stable funding for the national aviation system; that there be up to two and a half hours of debate on the conference report, equally divided between the two Leaders, or their designees, prior to a vote on adoption of the conference report; and that the vote on adoption be subject to a 60 affirmative vote threshold. **Page S327**

**Nominations Received:** Senate received the following nominations:

Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut.

Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa.

Louise W. Kelton, of Tennessee, to be United States Marshal for the Middle District of Tennessee for the term of four years.

Jamie A. Hainsworth, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

2 National Oceanic and Atmospheric Administration nominations in the rank of admiral.

Routine lists in the Foreign Service. **Page S328**

**Messages from the House:** **Page S321**

**Measures Referred:** **Pages S321–22**

**Measures Read the First Time:** **Page S322**

**Executive Communications:** **Page S322**

**Executive Reports of Committees:** **Pages S322–23**

**Additional Cosponsors:** **Page S323**

**Statements on Introduced Bills/Resolutions:**  
**Pages S323–26**

**Additional Statements:** **Pages S320–21**

**Amendments Submitted:** **Pages S326–27**

**Authorities for Committees to Meet:** **Page S327**

**Record Votes:** Eleven record votes were taken today. (Total—14)

**Pages S300, S301, S304, S308, S309, S310**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 6:46 p.m., until 2 p.m. on Monday, February 6, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S328.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported an original bill entitled, "The Iran Sanctions, Accountability and Human Rights Act of 2012", and an original

bill entitled, "Federal Public Transportation Act of 2012".

### BUDGET AND ECONOMIC OUTLOOK

*Committee on the Budget:* Committee concluded a hearing to examine the budget and economic outlook, focusing on fiscal years 2012–2022, after receiving testimony from Douglas W. Elmendorf, Director, Congressional Budget Office.

### BLUE RIBBON COMMISSION ON AMERICA'S NUCLEAR FUTURE

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the final report of the Blue Ribbon Commission on America's Nuclear Future, after receiving testimony from former Senator Pete Domenici, Member, and former Representative Lee Hamilton, and General Brent Scowcroft, USAF (Ret.), both a Co-Chairman, all of the Blue Ribbon Commission on America's Nuclear Future.

### INNOVATIONS IN COLLEGE AFFORDABILITY

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine innovations in college affordability, after receiving testimony from Martha Kanter, Under Secretary of Education; Kevin Carey, Education Sector, Washington, D.C.; Charlie Earl, Washington State Board for Community and Technical Colleges, Olympia; Robert W. Mendenhall, Western Governors University, Salt Lake City, Utah; and Carol E. Quillen, Davidson College, Davidson, North Carolina, on behalf of the National Association of Independent Colleges and Universities.

### INDIAN AFFAIRS BILLS

*Committee on Indian Affairs:* Committee concluded a hearing to examine S. 1739, to provide for the use and distribution of judgment funds awarded to the Minnesota Chippewa Tribe by the United States Court of Federal Claims in Docket Numbers 19 and 188, S. 356, to amend the Grand Ronde Reservation Act to make technical corrections, and S. 908, to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon, after receiving testimony from Senator Merkley; Mike S. Black, Director, Bureau of Indian Affairs, Department of the Interior; Norman W. Deschampe, Minnesota Chippewa Tribe, and Arthur LaRose, Leech Lake Band of Ojibwe, both of Cass Lake, Minnesota; Cheryle Kennedy, Confederated Tribes of Grand Ronde, Grand Ronde, Oregon; Delores Pigsley, Confederated Tribes of Siletz Indians of Oregon, Siletz; and Robert Garcia, Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, Coos Bay, Oregon.